

AMENDMENT TRANSMITTAL LETTER (Large Entity)
Applicant(s): Nicholas K. Hayward, et al.
Docket No. 10441Z
SEP 19 2000

Serial No. 09/349,954
Filing Date July 8, 1999
Examiner C. Saoud
Group Art Unit 1647

Invention: A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME
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TO THE ASSISTANT COMMISSIONER FOR PATENTS:
Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|-------------------------------------|-----------------------------|--------------------------------|---------|-------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 6 - | 20 = | 0 x | \$18.00 | \$0.00 |
| INDEP. CLAIMS | 2 - | 3 = | 0 x | \$78.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |

- ☒ No additional fee is required for amendment.
☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
☐ A check in the amount of _____ to cover the filing fee is enclosed.
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP
A duplicate copy of this sheet is enclosed.
☒ Any additional filing fees required under 37 C.F.R. 1.16.
☒ Any patent application processing fees under 37 CFR 1.17.

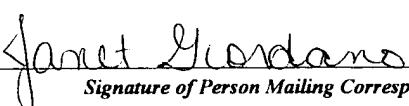

Signature

Dated: September 8, 2000

Frank S. DiGiglio
Registration No.: 31,346

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516)742-4343

I certify that this document and fee is being deposited on 9/8/00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Janet Giordano
Typed or Printed Name of Person Mailing Correspondence

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/349,954 **Art Unit:** 1647
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For: A NOVEL GROWTH FACTOR AND A **Date:** September 8, 2000
GENETIC SEQUENCE ENCODING SAME

Assistant Commissioner for Patents
Washington, D.C. 20231

VERIFICATION UNDER 37 C.F.R. §1.821(f)

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same.

Respectfully submitted,

Frank S. DiGiglio
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on September 8, 2000.

Dated: September 8, 2000

Janet Giordano

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

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Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated August 9, 2000, applicants submit this letter.

Pursuant to 37 C.F.R. §1.821(e), applicants hereby submit a copy of the computer readable form of the Sequence

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on September 8, 2000.

Dated: September 8, 2000

Janet Giordano
Janet Giordano

Listing in the above-identified patent application. Pursuant to 37 C.F.R. §§1.821(c) and 1.825, applicants hereby submit a substitute paper copy of the Sequence Listing as well as an amendment directing its entry into the specification.

In accordance with 37 C.F.R. §1.821(f), I hereby state that the computer readable form of the Sequence Listing filed herewith is the same as the paper copy of the Sequence Listing also filed herewith, and further that no new matter is presented by this submission.

A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures is enclosed.

Respectfully submitted,



Frank S. DiGiglio
Registration No. 31,346

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PIB:bb